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Notes for President's Evening Briefing

Our trilateral consultations with the Soviet Union and the United Kingdom on a comprehensive test ban give reason to believe that formal negotiations can resolve most of the differences. The major obstacle is Soviet insistence that the prohibition apply only to nuclear weapons tests and that peaceful nuclear explosions be permitted.

The Soviet argument is that peaceful nuclear explosions are of significant economic value, that the benefits of this technology are required by the non-proliferation treaty to be made available to non-weapons states which are parties to that treaty, that denial of these benefits would encourage proliferation of nuclear capability, and that steps can be taken to preclude the acquisition of military benefits by the state conducting PNEs. We have taken the position that an exception for PNEs would encourage other nations to emulate the Indian example and develop their own nuclear capability, that the non-proliferation treaty does not require that PNE services be made available when the nuclear weapons state parties have foregone the use of PNEs, and that military benefits from the conduct of PNEs are inevitable because this requires the maintenance of personnel and facilities trained and

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experienced in nuclear explosive technology. Accordingly, we have maintained that even measures to prevent acquisition of information which would permit improvements in nuclear devices would not be adequate to foreclose military benefits.

The chief Soviet negotiator, Dr. Morokhov, is Deputy Chairman of the Soviet agency responsible for PNEs. Thus his position does not necessarily reflect the ultimate Soviet position. If PNEs are to be banned totally, however, this will require discussions and decision at a higher political level.

We presented our current views on verification possibilities. The Soviet side has stressed the adequacy of national technical means, but reaffirmed willingness to develop provisions for on-site inspection, while continuing to maintain the principle of "voluntariness." Our position emphasized the importance of agreed-upon procedures to govern the conduct of on-site inspections. We have presented detailed ideas on the stationing of by the United States and the Soviet Union of automated seismic stations on one another's territory. The Soviet delegation has appeared interested, but has questioned the "political, technological and mathematical need" for such stations.

We and the UK have expressed the view that the trilateral discussions should be aimed at developing the key elements of a treaty and that the full elaboration of the treaty should take place in the Conference of the Committee on

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Disarmament. The Soviet delegation would prefer to submit a virtually complete text to the CCD. I doubt that this difference will prove formidable.

As for provisions on entry into force, review and possible withdrawal from a treaty, there continues to be some divergence, but again I do not believe this would preclude success in negotiations. The Soviet suggestion is that a treaty be negotiated and then a "provisional moratorium" be adopted for a period of 1-1/2 to 2 years. Presumably the treaty would be held in abeyance and not go into effect unless the other nuclear weapons states had agreed to adhere to it by that time. We have contended that the treaty should go into full force and effect when agreed upon by the U.S., the UK and the U.S.S.R. and a specified number of other states. We have suggested that it could be reviewed at the end of a period of about 5 years and that, on about a year's notice, any party could withdraw from the treaty at the end of the initial period or thereafter up until the point that all nuclear weapons states have accepted the treaty. At such times, the treaty would become of unlimited duration and withdrawal could occur only on a determination that this is required by "supreme national interests."

It has been agreed that trilateral negotiations will commence on October 3rd in Geneva.

Paul C. Warnke

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